

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-1350-GMS
)	
DR. SYLVIA FOSTER, NURSE)	
ASSISTANT ROBERT N. GRAY,)	
MR. JOHNSON 1, MR. JOHNSON)	
2, LANCE SAPERS, and DAVE)	
MOFFITT,)	
)	
Defendants.)	

ORDER

At Wilmington this ^{9th} day of April, 2007, having considered the plaintiff's pending motions;

IT IS ORDERED that:

The plaintiff's "motion request" for leave to depose defendants pursuant to Fed. R. Civ. P. 31 (D.I. 162) is **granted**. The plaintiff may take the written depositions of the defendants Brian Johnson ("Johnson"), Lance Sagers ("Sagers"), Robert Gray ("Gray"), and David Moffett ("Moffett").

On or before **May 3, 2007**, the plaintiff shall submit to the court no more than twenty written questions for each defendant/deponent (i.e., Johnson, Sagers, Gray, and Moffett). The questions shall be filed under seal to be viewed only by the court and the officer before whom the deponent(s) will appear as designated in the notice of deposition. The plaintiff shall not provide a service copy of the questions to the defendants and/or the deponents.

On or before **May 14, 2007**, counsel for the defendants shall contact Nancy Rebeschini,

Esquire, the court's pro se law clerk, to schedule a date and time for the written depositions. The depositions shall take place at the J. Caleb Boggs Federal Building, Wilmington, Delaware.

The procedure for the written depositions shall be as follows: The court will issue the notice for the written depositions. The notice will include the name of each deponent and the designated officer before whom the deponent will testify. Each deponent will be sworn in by the designated officer. The designated officer will read aloud to the deponent the questions as submitted by the plaintiff. The designated officer will provide paper and pen so that the deponent may provide a written answer to each question. The deponent shall have the option of bringing a laptop computer to the deposition as a means of answering the questions. The court will provide a computer disc for the answers typed into the computer. The deponent will verify his written answers. The designated officer will certify the deposition, file it with the court and mail complete copies of the deposition to the plaintiff, the defendants and/or the deponents.

The plaintiff also filed a motion for leave to propound fifty interrogatories upon the defendant, Dr. Sylvia Foster ("Dr. Foster"). (D.I. 174.) The motion is granted to the extent that the plaintiff may propound an additional **twenty-five** (25) interrogatories upon Dr. Foster, and is denied in all other respects.


UNITED STATES DISTRICT JUDGE

